

**APPROVED 12-5-11**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**PLANNING & ZONING COMMISSION**

Minutes of the Planning & Zoning Commission meeting held on Monday, November 14, 2011 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

**MEMBERS PRESENT:**

James J. Giulietti, Chairman  
Brian R. Cummings, Secretary  
Vern E. Carlson  
Curtis Andrews, Sr., Alternate, sitting for Theresa Ranciato-Viele  
Richard E. Wilson, Alternate  
Edward M. Homa, Alternate, sitting for Douglas E. Roberts

**MEMBERS ABSENT:**

Theresa Ranciato-Viele, Vice Chairman  
Douglas E. Roberts

**OTHERS PRESENT:**

Alan A. Fredricksen, Land Use Administrator  
Jonathan Bodwell, Town Engineer  
Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Giulietti, Chairman, opened the meeting at 7:08 p.m. and introduced the Commissioners, alternates, town staff and the clerk. Then he asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that there were none.

**PUBLIC HEARING:**

1. #P11-31 Resubdivision Application of Bernard Pellegrino, Applicant, Claudio & Emilio Arduini and Lorenzo & Luciano Coletta, Owners, for 6 (six) lots relative to 19 & 51 Patten Road, (Map 56, Lots 20 & 21). Plan Entitled: Property Topographic Survey, Property of Claudio & Emilio Arduini and Lorenzo & Luciano Coletta, 19 & 51 Patten Road – North Haven, Connecticut. Prepared by Godfrey Hoffman Associates, LLC. Dated 12-21-10, rev. 09/14/11. Scale 1" = 50'. R-40 Zoning District.

Attorney Bernard Pellegrino, Jr. of the Pelligrino Law Firm presented the application to permit the resubdivision of six (6) single-family, residential lots on approximately 14 acres relative to 19 & 51 Patten Road. An approval for a Permit to Conduct Regulated Activity and a positive Subdivision Referral was granted by the Inland Wetlands Commission on October 26, 2011.

The referral comment from the Inland Wetlands Commission recommends a waiver of the sidewalks be granted along the westernmost portion of the new road. The Chief of Police issued a negative referral letter relative to traffic conditions. The Fire Chief also has concerns with the lack of fire hydrants near the proposed subdivision. Mr. Christopher Gagnon, P.E. of Godfrey-Hoffman described the site design and the storm water management system. The Commission asked questions and Attorney Pellegrino and Mr. Gagnon responded.

Mr. Giulietti asked for public comment:

Public comment:

1. Joseph DeMartino, 10 Papa Lane, asked if lots will be sold individually and the cost of these lots. He is concerned with the length of time it will take to sell these lots and doesn't feel the town needs another exclusive development.
2. Ann Ruocco, 23 Ansonia Drive, asked how far the floodplain is from the lots and will buyers be informed of the floodplain location.
3. Carol Mason, a 38 year resident of 35 Stonehedge Drive, asked about blasting.

Attorney Pellegrino and Mr. Gagnon responded to the public comment.

Mr. Carlson moved to continue the Public Hearing to the December 5, 2011 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa - aye

#### **SITE PLANS:**

2. #P11-32 Site Plan Application of Retail Property One, LLC, Applicant/Owner, relative to 66 State Street, (Map 66, Lot 30). Plan Entitled: Proposed 32' Wide x 92' Long Greenhouse Site Plan. Prepared by Criscuolo Engineering, LLC. Dated 10/7/11. Scale 1" = 30'. CB-40 Zoning District.

Mr. Robert Criscuolo of Criscuolo Engineering, LLC, presented the application to permit the construction of a new 92' x 32' greenhouse at the southeast corner of the existing building on the property. The Commission asked questions and Mr. Criscuolo, Mr. Fredricksen, Land Use Administrator, Mr. Bodwell, Town Engineer, and John Bergantino, owner, responded.

## **CHANGE OF USE:**

### 28 Broadway

Mr. Pat Hannon presented the Change of Use from a karate school to a restaurant that will serve breakfast and lunch only. Hours of operation will be from 6:00 a.m. to 2:00 p.m.

Mr. Andrews moved to approve the Change of Use from a karate school to a restaurant; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

### 79 Washington Avenue

Mr. Brian Bowser of PPG Properties and Holdings presented the Change of Use from retail to a restaurant. They plan on hiring approximately thirty employees.

Mr. Carlson moved to approve the Change of Use from retail to a restaurant pending on the submission of the owner's signature required for the Change of Use; Mr. Andrews seconded the motion. The Commission voted as follows:

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

**BREAK:** 8:12 – 8:20 p.m.

## **OTHER:**

### Bee Regulation

Mr. Giulietti asked for public comment:

1. Mary and Tom White, 67 Summer Lane, feel this regulation should not be changed due to public health and safety concerns. They presented their reasons why this regulation should not be changed and submitted exhibits 1 through 13. Mrs. White then read a letter from Roseann Nacca of 90 Summer Lane in opposition to changing the bee regulation.
2. Joan Mazureck, 154 Cloudland Road, suggested having beekeepers register with the town. She asked that the bee regulation not be changed but have more clarification because the current regulation is too vague.
3. Ann Roucco, 23 Ansonia Drive, spoke in opposition to changing the bee regulation. She feels bees are a health concern and impractical and could affect the value of homes.
4. Joe DeMartino, 10 Papa Lane, spoke in opposition to the bee regulation change because he feels bee keepers will not abide by the regulations. He would also like to see the bee regulation state the number of bee hives allowed per acreage.

### ZEO Report

## **CEASE & DESIST ORDERS:**

Mr. Alan Fredricksen, Land Use Administrator, outlined current zoning violations with the Commission.

59 Potter Road – connex container and hoop shed

-Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on September 27, 2011 to Mr. & Mrs. Tondalo.

62 Bishop Street – storage of waste material

-Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on September 28, 2011 to Mr. & Mrs. James Cacace.

8 Cindy Lane – storage of junk and unregistered motor vehicles

-Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on October 6, 2011 to Mr. & Mrs. Wayne Nolan.

19 Country Way – outdoor storage of unsightly material

-Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on October 18, 2011 to Mr. Anthony Acanfora.

Quinnipiac University Students' Addresses

- Quinnipiac students having more than three unrelated people living at the same residence. Mr. Hausman, Zoning Enforcement Office, sent a Cease & Desist Order to owners of following residences on November 4, 2011.

- Unit # 3331 Avalon Haven, 99 Broadway
- 283 Kings Highway
- 2111 Whitney Avenue
- 1 Kent Drive
- 102 Sackett Point Road
- 9 Todd Drive
- 475 Quinnipiac Avenue

## **DELIBERATION SESSION:**

Mr. Carlson moved to go into deliberations; Mr. Cummings seconded the motion. All were in favor.

**SITE PLAN:**

2. #P11-32 Site Plan Application of Retail Property One, LLC, Applicant/Owner, relative to 66 State Street.

Mr. Carlson moved to approve the application, Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

The application was approved with conditions.

Mr. Carlson moved to go out of deliberations; Mr. Cummings seconded the motion. All were in favor.

**INFORMAL PRESENTATION:** None

**EXTENSIONS:** None

**BOND RELEASES & REDUCTIONS:**

#P04-30, 381-385 State Street

Mr. Andrews moved to release the entire bond for application #P04-30, 381-385 State Street in the amount of \$45,000.00; Mr. Cummings seconded the motion. All were in favor.

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

#P08-19, 79 Washington Avenue

Mr. Cummings moved to release the entire bond for application #P08-19, 79 Washington Avenue, in the amount of \$25,000.00; Mr. Homa seconded the motion. All were in favor.

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

#P10-09, 191 & 209 North Hill Road

Mr. Andrews moved to reduce the bond for application #P10-09, 191 & 209 North Hill Road, from \$300,000.00 to \$150,000.00; Mr. Cummings seconded the motion. All were in favor.

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

#P09-21, 355 Washington Avenue

Mr. Carlson moved to release the entire bond for application #P09-21, 355 Washington Avenue, in the amount of \$2,500.00; Mr. Cummings seconded the motion. All were in favor.

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

**CORRESPONDENCE:** None

**MINUTES:**

October 3, 2011

Mr. Carlson moved to approve the minutes of the October 3, 2011 meeting; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Cummings – aye Carlson – aye Andrews – aye Homa – aye

**ADJOURN:**

There being no further business, Mr. Cummings moved to adjourn; Mr. Andrews seconded the motion. The meeting was adjourned at 9:36 PM.